

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

October 18, 2011

POST SUMMARY MINUTES

PRESENT: Chairman Eldrin Bell, Vice-Chairman Wole Ralph, Commissioner Sonna Singleton, Commissioner Michael Edmondson, Commissioner Gail Hambrick, and Clerk Shelby D. Haywood.

1. Chairman Bell called the meeting to order. He recognized the presence of Mayor Willie Oswalt of Lake City, Georgia (who worked with Chairman Bell on the Transit Roundtable and ARC to get the county's transit project completed), Mr. Bobby Cartwright (newly appointed Interim Mayor of Lovejoy, Georgia), and Dr. Thomas Hynes, Jr. (President of Clayton State University) in the audience. Chairman Bell thanked all of them for attending the meeting tonight.

2. Invocation was led by Rev. E. J. Childs of the Clayton County Ministers' Conference. Pledge of allegiance to the flag was led by Chairman Bell.

3. Amended the agenda by adding the consideration of two (2) appointments to the Hospital Authority Board. The terms of Dr. Raju Vanapalli and Rev. Charles Grant will expire on October 31, 2011. New terms are for three (3) years; expiring on October 31, 2014. The Board also added Resolution 2011-180 (Authorizing Clayton County to adopt the 2011 Clayton County Service Delivery Strategy with the cities of College Park, Forest Park, Jonesboro, Lake City, Lovejoy, Morrow, Riverdale, and the Clayton County Water Authority to be effective upon approval and execution by the requisite number of cities and continuing until December 31, 2012). Clerk Haywood asked for general Board consent to add a brief presentation by Dr. Thomas Hynes, Jr., President of Clayton State University, regarding the 2011 Archway University System of Georgia Landscape Internship project before item #5 (PROCLAMATION: "Clayton County Honors Archway University System of Georgia 2011 Landscape Interns" – presented by Chairman Bell). The Board generally consented to add this presentation to the agenda. All amendments were adopted in the agenda, as all commissioners had copies before them. Vote unanimous.

4. Approved the minutes of the October 11, 2011 Regular Business Meeting. Vote unanimous.

5. PRESENTATION: Dr. Thomas Hynes, Jr., President of Clayton State University.

Dr. Hynes briefly expressed that the work of the Archway Coalition is a collaborative effort of the University System of Georgia, UGA, Clayton State University (in previous instances), Georgia Technical Institute, etc. to provide resources for educational projects that partner with various municipalities, counties, and other entities. Such projects provide value and marshal educational resources in ways that benefit the cities of this extraordinary County of Clayton. Dr. Hynes added that he was honored to represent the group as the Executive Committee Chair and to have been given the

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opportunity to represent this county and the Archway Coalition in advancing the interests of friends and neighbors.

6. PROCLAMATION: "Clayton County Honors Archway University System of Georgia 2011 Landscape Interns" (presented by Chairman Eldrin Bell to Gail Webb, Archway Professional; Dr. Alpha Bryan, District Health Director of the Clayton County Board of Health; and Dr. Thomas Hynes, Jr., President of Clayton State University).

Group photos were taken, and Clerk Haywood read the proclamation for the benefit of the audience.

7. Angela Jackson, Director of Finance, presented the following items which resulted in these actions. (NOTE: The Board voted on all of these items at once.)

1) Approved Budget Amendment #2-49 (FYE 6-30-11)/Various Departments, in the amount of \$2,170,140.00, to recognize revenue collected in excess of the revenue budget and realign expenses in various departments. This revenue reduces expenses and appropriates funds for related expenses, the largest of which is \$2,000,000.00 for sanitation expense. Vote unanimous.

2) Approved Budget Amendment #2-50 (FYE 6-30-11)/Other General Government – Energy Performance Lease, in the amount of \$4,861,070.00, to establish the budget for the energy performance lease, recognize the proceeds from the lease, and apply the proceeds to the related expenses. Vote unanimous.

3) Approved Budget Amendment #2-51 (FYE 6-30-11)/Landfill Fund, in the amount of \$587,825.00, to recognize revenue and appropriate additional funds for consulting fees, gasoline costs, post-closure costs, repair and maintenance of equipment, permit fees, and interest charges. Vote unanimous.

4) Approved Budget Amendment #2-52 (FYE 6-30-11)/Transit Fund, in the amount of \$6,005,237.00, to close the transit fund. Vote unanimous.

5) Approved Budget Amendment #2-53 (FYE 6-30-11)/Street Lights Fund, in the amount of \$258,531.00, to amend in revenue and appropriate it to pay the electrical utilities and other related accounts. Vote unanimous.

6) Approved Budget Amendment #2-54 (FYE 6-30-11)/Debt Service Fund, in the amount

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of \$3,695,907.00, to place funds in the appropriate account within the Debt Service Fund to pay the bonds associated with the Police Headquarters and the Ellenwood TAD. Vote unanimous.

7) Approved Budget Amendment #2-55 (FYE 6-30-11)/Victim Assistance Fund, in the amount of \$42,685.00, to realign expenses in the Victim Assistance Fund. Vote unanimous.

8) Approved Budget Amendment #2-56 (FYE 6-30-11)/Ellenwood Town Center Redevelopment, in the amount of \$3,246,944.00, to realign expenses and transfer funds to the Debt Service Fund to pay the Tax Allocation bonds. Vote unanimous.

9) Approved Budget Amendment #2-57 (FYE 6-30-11)/Emergency Telephone System Fund, in the amount of \$1,288,005.00, to provide for the purchase of the E-911 Phone System approved in the September 7, 2010 Board of Commissioners meeting. Vote unanimous.

10) Approved Budget Amendment #4-09 (FYE 6-30-12)/Carry Forward **SPLOST** Project Balances, in the amount of \$33,735,102.00, to carry forward SPLOST projects within the old SPLOST. Vote unanimous.

11) Approved Budget Amendment #4-10 (FYE 6-30-12)/Carry Forward **Reimposition SPLOST** Project Balances, in the amount of \$28,367,071.00, to carry forward SPLOST projects for the new SPLOST. Vote unanimous.

12) Approved Budget Amendment #4-11 (FYE 6-30-12)/**T&D GDOT Grants**, in the amount of \$10,317,890.00, to carry forward fiscal year 2011 balances and to set up projects for fiscal year 2012 T&D GDOT grants. Vote unanimous.

13) Approved Budget Amendment #4-12 (FYE 6-30-12)/Fund 306 – Road and Recreation Projects and Fund 307 – **Reimposition SPLOST** Projects, in the amount of \$753,636.00, to close the budget for completed road projects within the old and new SPLOST. Vote unanimous.

14) Approved Budget Amendment #4-16 (FYE 6-30-12)/Fund 307 – **Reimposition SPLOST** Projects, in the amount of \$35,000.00, for the Library to purchase 132 chairs as replacements for chairs in a state of disrepair. Vote unanimous.

8. Approved Resolution 2011-178 authorizing Clayton County to enter into a purchase agreement with Legacy Farms Stream Bank, LLC and, in accordance therewith, purchase 1,191.50 stream

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mitigation credits associated with the Panola Road Widening Project; to authorize the Chairman to execute the purchase agreement, and otherwise to perform all acts necessary to accomplish the intent of this resolution; to authorize the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the purchase agreement; to provide an effective date of this resolution; and for other purposes. (NOTE: Clayton County is required to purchase stream mitigation credits in order to obtain a permit from the United States Army Corps of Engineering for road construction projects that impact streams and wetlands.) Vote unanimous.

9. Approved Resolution 2011-179 providing for a change in the name of the service road depicted in blue on the attached map to “M. H. Jackson Service Road”; to authorize the Chairman to execute any required document and otherwise to perform all other acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes. (NOTE: City of Atlanta Airport representatives provided this map to the Board at a previous business meeting. The service road runs parallel to the airport entrance.) Vote unanimous.

10. Approved Resolution 2011-180 authorizing Clayton County to adopt the 2011 Clayton County Service Delivery Strategy with the cities of College Park, Forest Park, Jonesboro, Lake City, Lovejoy, Morrow, Riverdale, and the Clayton County Water Authority; to be effective upon approval and execution by the requisite number of cities and continuing until December 31, 2012. Vote unanimous.

Commissioner Edmondson stated he had heard various offices, departments, and local jurisdictions use the term “catastrophic” as a description of what would happen if the county lost its eligibility for those types of grants and other funds due to the expiration of the Service Delivery Strategy. He wanted to ensure that this resolution will satisfy the deadlines that the Board previously established with the cities as well as any county statutory obligation.

Interim County Attorney Jack Hancock assured Commissioner Edmondson that it would. He affirmed that the existing agreement expires October 31, 2011. As long as the county has a new agreement in place by that time, the grants that the cities and the county now receive will continue. Pursuant to the authority of the code, those grants will cease if no new agreement is in place by October 31, 2011.

Commissioner Edmondson then asked if the Service Delivery Strategy that accompanies this resolution would include any updates resulting from the county working recently with the cities (to everyone’s satisfaction – to the best of the county’s knowledge). Mr. Hancock replied, “It does, sir.”

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Commissioner Edmondson responded that he was ready to act on this resolution by making a motion to approve it. Vice-Chairman Ralph seconded the motion. Chairman Bell stated he had an additional question. After December 31, 2012, he wanted to know what other actions needed to be taken. Mr. Hancock said after this date, the existing Local Option Sales Tax distribution agreement (LOST) would terminate. He understood this has been a requirement of the cities in order to enter into a Service Delivery Strategy. The cities want to negotiate the LOST and this would make the cities' termination consistent so that, between now and then, the county would not lose its grant funding and continue to negotiate both of those agreements. Chairman Bell asked if all of the commissioners were in favor of this resolution. The ayes carried unanimously.

Mr. Hancock requested an Executive Session to discuss litigation and a personnel matter. The Board generally consented to do so.

11. Approved the reappointments of Dr. Raju Vanapalli (motion by Commissioner Singleton and second by Chairman Bell) and Rev. Charles Grant (motion by Commissioner Hambrick and second by Vice-Chairman Ralph) to the Hospital Authority Board. New terms are for three (3) years; expiring on October 31, 2014. Vote unanimous.

PUBLIC COMMENT:

1. Carl Swenson, of Morrow, Georgia, thanked Interim County Attorney Jack Hancock for his expeditious response to an Open Records Request he had recently made. Unfortunately, he is still finding the years in question on SPLOST funds incomplete and needed Mr. Hancock to fill in the blanks for 2008 through 2010. Additionally, Mr. Swenson praised the county for entering into an agreement with Attorney Hancock for legal services because Attorney Hancock does very good work. He encouraged the county to continue contracting with the private sector. Lastly, Mr. Swenson submitted another Open Records Request for all commissioners who are receiving checks from the county other than their checks for serving as commissioners.

2. Linda Slagle, a 25+-year county resident in Commission District 1/Sonna Singleton's area, complimented the Board for doing some things right; i.e., starting the business meetings with a prayer and pledge of allegiance to the flag, taking care of the retired police canine Lakota's medical expenses, and placing better police presence in her neighborhood to clean up thug activity (this is largely due to Commissioner Singleton's efforts). Ms. Slagle believed the Board could make other improvements to the county by implementing more youth programs to deter youth from joining gangs.

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3. Wayne Madden, a Rivers Edge Subdivision resident in Clayton County, commented that three (3) commissioners are up for re-election next year (Chairman Bell, Vice-Chairman Ralph, and Commissioner Hambrick). He was not pleased with the list of other candidates who were running for these commissioners' seats. Mr. Madden stressed that any candidates running need to have either a business or legal background to bring appropriate skills to these commission seats.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go into Executive Session in the Commissioners' Conference Room at 7:25 p.m. to discuss litigation and a personnel matter. Vote unanimous.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go out of Executive Session at 8:00 p.m. Vote unanimous.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 8:01 p.m. Vote unanimous.

12. The Board considered the following items based on decisions in the Executive Session.

In addition to the request by Interim County Attorney Hancock to discuss litigation and a personnel matter, Clerk Haywood stated for the record that the Board had discussed a real estate issue in the Executive Session.

County Manager Wade Starr brought forth the following "requests to fill" for the Board to approve:

- 1) Engineering Technician III (Full-time) – Transportation & Development Department
- 2) Electrical Inspector (Full-time) – Community Development Department
- 3) Library Assistants (2 Part-time and 1 Full-time) – Library Services

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to approve the above-listed "requests to fill" as submitted by County Manager Wade Starr. Vote unanimous.

There being no further business to discuss, motion by Vice-Chairman Ralph, second by Commissioner Singleton, to adjourn the Regular Business Meeting of October 18, 2011 at 8:02 p.m. Vote unanimous.